

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION
IN PHARMACY

In the Matter of)
Joseph C. Ward, R.Ph.)
Pharmacist Registration No. 15980)

Docket No. PH-08-034

APR 08 2008

BOARD OF
PHARMACY

VOLUNTARY SURRENDER AGREEMENT

The Board of Registration in Pharmacy ("Board") and Joseph C. Ward, R.Ph. ("Registrant"), a pharmacist registered by the Board (Pharmacist Registration No. 15980), do hereby stipulate and agree that the following information shall be entered into and become a permanent part of the file of the Registrant which is maintained by the Board:

1. The parties enter into this Voluntary Surrender Agreement ("Agreement") in order to resolve the complaint pending against the Registrant before the Board as Docket No. PH-08-034 (the "Complaint").
2. Registrant acknowledges that on various dates during July of 2007, he did dispense various amounts of prescription drugs without a prescription labeled in:
(a) his name (BUT/APAP/Caf #100 and Hydrocodone/APAP 5-500 #100 on July 13, 2007; BUT/APAP/Caf #80 on July 16, 2007; BUT/APAP/Caf #100 on July 19, 2007); and
(b) the names of two family members (Hydrocodone/APAP/5-500 #200 on July 13, 2007; Cephalexin 500mg on July 19, 2007).
3. Registrant acknowledges and agrees that the conduct described in Paragraph 2. constitute violations of G.L. c. 94C, ss. 33, subsec. (b); M.G.L. c. 112, s. 61; and 247 CMR sections 9.01(1), 9.01(2), 9.01(6), 10.03(1)(a), 10.03(1)(b), 10.03(1)(e), 10.03(1)(f), 10.03(1)(k), 10.03(1)(v), 10.03(1)(w) and 10.03(1)(x), and as such, is a basis for disciplinary action by the Board.
4. Accordingly, Registrant freely agrees to and the Board accepts the voluntary surrender of Registrant's license to practice pharmacy in the Commonwealth of Massachusetts (License No. 15980) in resolution of the Complaint, surrendered to the Board by Letter of Paul M. Garbarini, Esq. dated March 18, 200[8]. Such surrender shall be for an indefinite period and shall continue until the Board, in its discretion, determines that the Registrant is eligible to petition for the reinstatement of his license. The Board and the Registrant agree that the Board will not review and the Registrant may not file any petition for licensure with the Board during the five (5) year period following the date of execution of this Agreement by the Registrant.

If at any time Registrant seeks licensure by the Board in the future, the Board would require the Registrant to complete certain requirements and meet specific terms and conditions for licensure prior to filing any petition for licensure, including but not limited to, completion of an MPRS Program evaluation, and depending upon the results of the MPRS evaluation, participate in the MPRS Program for a minimum five (5) year period; re-examination, and require and impose monitoring and practice limitation conditions on his license, including but not limited to, probationary status, MPRS participation and supervised experience. The Registrant may be required to meet such additional terms and conditions as the Board may deem appropriate.

5. This Agreement and its contents shall be incorporated into the records maintained by the Board, are matters of public record, and are subject to disclosure without limitation to the public and equivalent state licensing boards.
6. The Board agrees that in return for the Registrant's execution of this Agreement, the Board will not advance the prosecution of the Registrant pursuant to the Complaint; any and all other rights of the Board to take action within the scope of its authority are expressly reserved.
7. The Registrant understands and agrees that his decision to enter into this Agreement and to accept the terms and conditions herein described is a final act and is not subject to reconsideration or judicial review.
8. The Registrant states that he has used legal counsel in connection with his decision to enter into this Agreement.
9. The Registrant certifies that he has read this document entitled "Voluntary Surrender Agreement". The Registrant understands that, by executing this Agreement, he is waiving his right to a formal hearing at which he would possess the rights to confront and cross-examine witnesses, to call witnesses, to present evidence, to testify on his own behalf, to contest the allegations, to present oral argument, to appeal to the court in the event of an adverse ruling, and all other rights set forth in the State Administrative Procedure Act, G.L. c. 30A, and the Standard Adjudicatory Rules of Practice and Procedure, 801 CMR 1.01 *et seq.*

Doris J. Ward

Witness (sign name)

Doris J. Ward

Witness (print name)

Joseph C. Ward, Pharm.D.

Date: 4/3/2008

BOARD OF REGISTRATION
IN PHARMACY

By: Sophia M. Pasedis
Sophia M. Pasedis, R.Ph.
President

Effective Date: March 18, 2008
Board Dec. No. 1703